

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**KELLY BOWLIN, on behalf of herself and  
all others similarly situated,**

**Plaintiffs,**

**vs.**

**NANCY MONTANEZ, as the Director of  
the Nebraska Department of Health and  
Human Services,**

**Defendant.**

**CASE NO. 4:04CV3218**

**JUDGMENT  
(CLASS ACTION)**

In accordance with the Memorandum and Order granting Plaintiffs' Motion for Summary Judgment dated April 5, 2005 (Filing No. 63), this Court:

1. Declares that the Defendant's refusal to provide Transitional Medical Assistance to the Plaintiffs violates 42 U.S.C. 1396r-6(a)(1).
2. Orders the Defendant to immediately provide Transitional Medical Assistance to the Plaintiffs pursuant to 42 U.S.C. 1396r-6(a)(1).
3. Orders the Defendant to notify each class member of their right to receive Transitional Medical Assistance without filing a new application and of the circumstances under which that assistance may be terminated.
4. Permanently enjoins the Defendant from discontinuing Medicaid benefits in violation of this order;
5. Orders counsel for the Plaintiffs to file their application for costs and reasonable attorneys' fees as provided for by 42 U.S.C. § 1988 by April 27, 2005.

Dated this 18<sup>th</sup> day of April, 2005.

BY THE COURT:

s/Laurie Smith Camp  
Laurie Smith Camp  
United State District Judge